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Attorneys for Plaintiffs MEDIFAST, INC. and
BRADLEY MacDONALD

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

MEDIFAST, INC., a Delaware Corporation,)
and BRADLEY MacDONALD, an individual,)

Plaintiffs,)

v.)

BARRY MINKOW, FRAUD DISCOVERY)
INSTITUTE, INC.; ROBERT L.)
FITZPATRICK; TRACY COENEN;)
SEQUENCE, INC.; WILLIAM LOBDELL;)
IBUSINESS REPORTING; ZEEYOURSELF,)

Defendants.)

CASE NO. 10-CV-0382-CAB (MDD)

**JOINT MOTION FOR DISMISSAL OF
ACTION WITH PREJUDICE**

Honorable Cathy Ann Bencivengo

Plaintiffs Medifast, Inc. ("Medifast"), and Shirley MacDonald as personal representative of
Bradley MacDonald's estate ("Mrs. MacDonald"; collectively "Plaintiffs") and Defendants Barry
Minkow and Fraud Discovery Institute, Inc. (collectively "Minkow"), Robert FitzPatrick
("FitzPatrick") and William Lobdell and iBusiness Reporting (collectively "Lobdell") (the above-
named defendants are collectively referred to as the "Remaining Defendants" and all parties jointly
hereinafter referred to as the "Parties") by and through their attorneys of record, hereby jointly move

1 the Court for an Order dismissing the entire case as to the Remaining Defendants, with prejudice.

2 The Joint Motion to Dismiss is based on the following facts:

3 1. The Parties have resolved this action and gave notice of the same to the Court.

4 2. The other two parties to this action, Tracey Coenen and Sequence, Inc. have
5 previously obtained judgment against Plaintiffs.

6 3. The Parties hereby jointly move the Court for an Order dismissing the entire case,
7 with prejudice.

8 4. The Remaining Defendants, without acknowledging liability or wrongdoing, and
9 Plaintiffs, without acknowledging liability or wrongdoing, have agreed to fully and completely
10 resolve this matter.

11 5. The Parties agree that the Magistrate Judge shall retain jurisdiction over all disputes
12 between and among the Parties arising out of any settlement agreement, including but not limited to,
13 the interpretation and enforcement of any terms of the settlement agreement.

14 WHEREFORE, the Parties respectfully request this Court dismiss this case, with prejudice.

15 Dated: May 13, 2015

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24 Dated: May 13, 2015

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